

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:96-cv-01365-GK**

JEFFERSON v. O'BRIEN  
Assigned to: Judge Gladys Kessler  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/17/1996  
Date Terminated: 07/03/2000  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**WILLIE JEFFERSON**

represented by **WILLIE JEFFERSON**  
R15721-018  
BIG SANDY UNITED STATES  
PENITENTIARY  
P.O. Box 2068  
Inez, KY 41224  
PRO SE

V.

**Defendant**

**J. KEVIN O'BRIEN**  
*Chief, U.S. Department of Justice,  
Federal Bureau of Investigation, Freedom  
of Information/Privacy Section*

represented by **Benjamin R. Barnett**  
U.S. ATTORNEY'S OFFICE  
Judiciary Center Building  
555 Fourth Street, NW  
Room 9816  
Washington, DC 20530  
(202) 307-0372  
*TERMINATED: 07/23/1998*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kathryn A. Good**  
U.S. POSTAL SERVICE  
8200 Corporate Drive  
Landover, MD 20785  
(202) 314-6826  
Fax: (651) 306-6746  
Email: [kgood@email.usps.gov](mailto:kgood@email.usps.gov)  
*TERMINATED: 04/22/1997*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Lisa Barsoomian**  
\*\*See Ms. Barsoomian file  
Email: [Lisa.Barsoomian@nih.gov](mailto:Lisa.Barsoomian@nih.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul S. Padda**  
U.S. ATTORNEY'S OFFICE  
Civil Division  
555 Fourth Street, NW  
10th Floor  
Washington, DC 20530  
(202) 514-9150  
Fax: 202-305-0955  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

| Date Filed | #  | Docket Text  |
|------------|----|--|
| 06/17/1996 | 1  | COMPLAINT filed by plaintiff WILLIE JEFFERSON (tth) (Entered: 06/19/1996)  |
| 06/17/1996 |    | SUMMONS (3) issued to federal party(s) federal defendant J. KEVIN O'BRIEN , and non-parties: U.S. Attorney and U.S. Attorney General. (tth) (Entered: 06/19/1996)  |
| 06/17/1996 | 2  | APPLICATION by plaintiff WILLIE JEFFERSON to proceed in forma pauperis (tth) (Entered: 06/19/1996)   |
| 06/17/1996 |    | ORDER by Judge Aubrey E. Robinson granting motion to proceed in forma pauperis [2-1] by WILLIE JEFFERSON (fiat) (N) (tth) (Entered: 06/19/1996)  |
| 07/03/1996 | 3  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed on 6/26/96 upon federal defendant J. KEVIN O'BRIEN by personal service. (tth) (Entered: 07/05/1996)  |
| 07/03/1996 | 4  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney General on 6/26/96 by personal service. (tth) (Entered: 07/05/1996)   |
| 07/12/1996 | 5  | RETURN OF SERVICE/AFFIDAVIT of summons and complaint executed upon U.S. Attorney on 7/3/96 by personal service. (tth) (Entered: 07/15/1996)  |
| 07/24/1996 | 6  | ATTORNEY APPEARANCE for federal defendant J. KEVIN O'BRIEN by Kathryn Good (tth) (Entered: 07/25/1996)   |
| 08/02/1996 | 7  | ANSWER TO COMPLAINT [1-1] by federal defendant. (kmk) (Entered: 08/05/1996)  |
| 11/12/1996 | 8  | ORDER by Judge Gladys Kessler: dispositive motions due 12/13/96 (N) (pob) (Entered: 11/12/1996)  |
| 12/13/1996 | 9  | MOTION filed by federal defendant J. KEVIN O'BRIEN to stay case (st) (Entered: 12/16/1996)   |
| 01/14/1997 | 10 | ORDER by Judge Gladys Kessler : granting motion to stay case [9-1] by J. KEVIN O'BRIEN (N) (pob) (Entered: 01/15/1997)   |
| 01/30/1997 | 11 | MOTION filed by plaintiff WILLIE JEFFERSON for reconsideration of Court's order [10-1] (tth) (Entered: 02/05/1997)   |
| 01/30/1997 | 12 | RESPONSE by plaintiff WILLIE JEFFERSON in opposition to motion to stay case [9-1] by J. KEVIN O'BRIEN (tth) (Entered: 02/05/1997)  |
| 02/24/1997 | 13 | ORDER by Judge Gladys Kessler : granting motion for reconsideration of Court's order [10-1] [11-1] by WILLIE JEFFERSON; defendant shall have until 3/15/97 to file a reply brief in support of the motion to stay. (N) (pob) (Entered: 02/25/1997)   |
| 03/17/1997 | 14 | REPLY by federal defendant J. KEVIN O'BRIEN to motion to stay case [9-1] by J. KEVIN O'BRIEN; attachments. (tth) (Entered: 03/18/1997)   |
| 03/18/1997 | 15 | ERRATA by federal defendant J. KEVIN O'BRIEN of the unpublished orders and opinions cited in the defendant's reply in support of its motion to stay filed on 3/17/97; attachments (8). (kmk) (Entered: 03/19/1997)   |
| 04/22/1997 | 16 | SUBSTITUTION OF COUNSEL for federal defendant J. KEVIN O'BRIEN , substituting Benjamin R. Barnett for attorney Kathryn L. Good for J. KEVIN O'BRIEN (tth) (Entered: 04/23/1997)  |
| 06/04/1997 | 17 | MEMORANDUM OPINION by Judge Gladys Kessler (N) (pob) (Entered: 06/04/1997)   |
| 06/04/1997 | 18 | ORDER by Judge Gladys Kessler: granting in part and unless further extension is granted motion to stay case [9-1] by J. KEVIN O'BRIEN; defendants shall have until 6/5/98 to process plaintiff's FOIA request; case dismissed without prejudice; plaintiff may refile this action with the Court within 30 days after 6/5/98 if defendant has not provided the requested material; this Court will retain jurisdiction over this matter. (N) (pob) (Entered: 06/04/1997) |

|            |    |  |
|------------|----|--|
| 07/23/1998 | 19 | SUBSTITUTION OF COUNSEL for federal defendant J. KEVIN O'BRIEN , substituting Lisa Barsoomian for attorney Benjamin R. Barnett for J. KEVIN O'BRIEN (tth) (Entered: 07/24/1998)  |
| 09/01/1998 | 20 | MOTION filed by plaintiff WILLIE JEFFERSON for Vaughn Index of the withheld documents and portions withheld at issue ; exhibits (3) (tb) (Entered: 09/01/1998)   |
| 09/01/1998 | 21 | NOTIFICATION to reinstate Civil Action No. 96-1365, and of the filing in the District Court Plaintiff's Motion for a Vaughn Index filed by plaintiff WILLIE JEFFERSON (tth) (Entered: 10/01/1998)  |
| 09/14/1998 | 22 | RESPONSE by federal defendant J. KEVIN O'BRIEN to notification to reinstate action [21-1] by WILLIE JEFFERSON (tth) (Entered: 10/02/1998)  |
| 10/05/1998 |    | Case Reopened (pob) (Entered: 10/05/1998)  |
| 10/05/1998 | 23 | ORDER by Judge Gladys Kessler : directing that this action is reinstated; granting motion for Vaughn Index of the withheld documents and portions withheld at issue [20-1] by WILLIE JEFFERSON; defendant shall have until 1/20/98 in which to file a Vaughn index together with a dispositive motion. (N) (pob) (Entered: 10/05/1998)   |
| 10/13/1998 | 24 | AMENDED ORDER by Judge Gladys Kessler: that the Court's Order of 10/2/98 be amended to read defendant shall have until 1/20/99. (N) (pob) (Entered: 10/13/1998)  |
| 01/20/1999 | 25 | MOTION filed by federal defendant J. KEVIN O'BRIEN to extend time to 2/17/99 to file defendant's Vaughn affidavit and dispositive motion (tth) (Entered: 01/21/1999)   |
| 01/22/1999 | 26 | ORDER by Judge Gladys Kessler : granting motion to extend time to 2/17/99 to file defendant's Vaughn affidavit and dispositive motion [25-1] by J. KEVIN O'BRIEN (N) (pob) (Entered: 01/25/1999)   |
| 02/16/1999 | 27 | MOTION filed by federal defendant J. KEVIN O'BRIEN to extend time to 3/9/99 to file its Vaughn affidavit and dispositive motion. (kmk) (Entered: 02/17/1999)   |
| 02/18/1999 | 28 | ORDER by Judge Gladys Kessler : granting motion to extend time to 3/9/99 to file its Vaughn affidavit and dispositive motion [27-1] by J. KEVIN O'BRIEN (N) (pob) (Entered: 02/18/1999)  |
| 02/18/1999 | 29 | ATTORNEY APPEARANCE for federal defendant J. KEVIN O'BRIEN by Paul S. Padda (tth) (Entered: 02/19/1999)  |
| 03/08/1999 | 30 | MOTION filed by federal defendant J. KEVIN O'BRIEN to extend time to 3/23/99 within which to file a Vaughn affidavit and dispositive motion. (tw) (Entered: 03/09/1999)  |
| 03/10/1999 | 31 | ORDER by Judge Gladys Kessler : granting motion to extend time to 3/23/99 within which to file a Vaughn affidavit and dispositive motion. [30-1] by J. KEVIN O'BRIEN (N) (gdf) (Entered: 03/10/1999)   |
| 03/23/1999 | 32 | MOTION filed by federal defendant J. KEVIN O'BRIEN to extend time to 3/25/99 to file a Vaughn affidavit and dispositive motion (st) (Entered: 03/24/1999)  |
| 03/24/1999 | 33 | ORDER by Judge Gladys Kessler : granting motion to extend time to 3/25/99 to file a Vaughn affidavit and dispositive motion [32-1] by J. KEVIN O'BRIEN (N) (pob) (Entered: 03/24/1999)   |
| 03/25/1999 | 34 | MOTION filed by federal defendant J. KEVIN O'BRIEN to dismiss complaint on the grounds that the plaintiff fails to state a claim upon which a relief can be granted [1-1] , or, in the alternative for summary judgment on the grounds that there are no material facts in dispute and defendant is entitled to judgment in its favor ; declaration (1); exhibits (2) (tw) (Entered: 03/26/1999) |
| 03/30/1999 | 35 | ORDER by Judge Gladys Kessler : for plaintiff to respond to defendant's motion to dismiss or in the alternative, for summary judgment by 4/30/99 (N) (pob) (Entered: 03/30/1999)   |
| 04/13/1999 | 36 | RESPONSE by plaintiff WILLIE JEFFERSON to order for plaintiff to respond to defendant's motion to dismiss or in the alternative, for summary judgment by 4/30/99 [35-1], order [35-2]; "Leave to file granted", KESSLER, J. (tth) (Entered: 04/14/1999)  |

|            |           |  |
|------------|-----------|--|
| 06/10/1999 | 37        | ORDER by Judge Gladys Kessler: that within 10 days of this Order, defendant file a certificate of service showing service on plaintiff; plaintiff shall have until 7/20/99 to respond to defendant's motion to dismiss or, in the alternative, for summary judgment. (N) (pob) (Entered: 06/11/1999)   |
| 07/29/1999 | 38        | RESPONSE by plaintiff WILLIE JEFFERSON in opposition to motion to dismiss complaint on the grounds that the plaintiff fails to state a claim upon which a relief can be granted [1-1] [34-1] by J. KEVIN O'BRIEN, motion for summary judgment on the grounds that there are no material facts in dispute and defendant is entitled to judgment in its favor [34-2] by J. KEVIN O'BRIEN; Exhibits (80). (tth) (Entered: 07/30/1999)   |
| 02/22/2000 | 39        | MEMORANDUM AND ORDER by Judge Gladys Kessler : granting in part, denying in part motion to dismiss complaint on the grounds that the plaintiff fails to state a claim upon which a relief can be granted [1-1] [34-1], granting in part, denying in part motion for summary judgment on the grounds that there are no material facts in dispute and defendant is entitled to judgment in its favor [34-2]; defendant shall file a renewed motion for summary judgment within 30 days (N) (pob) (Entered: 02/22/2000) |
| 04/06/2000 | 40        | MOTION filed by federal defendant J. KEVIN O'BRIEN out of time to extend time to 4/10/00 to file a response to the Court's Order (dam) (Entered: 04/09/2000)   |
| 04/10/2000 | 41        | MOTION filed by federal defendant J. KEVIN O'BRIEN to extend time to 4/12/00 to file response to the Court's memorandum opinion and order 2/18/00 (cjp) (Entered: 04/11/2000)  |
| 04/12/2000 | 42        | ORDER by Judge Gladys Kessler : granting motion to extend time to 4/10/00 to file a response to the Court's Order [40-1] by J. KEVIN O'BRIEN (N) (pob) (Entered: 04/12/2000)   |
| 04/12/2000 | 43        | ORDER by Judge Gladys Kessler : granting motion to extend time to 4/12/00 to file response to the Court's memorandum opinion and order 2/18/00 [41-1] by J. KEVIN O'BRIEN motion for summary judgment due by 4/12/00 (N) (pob) (Entered: 04/12/2000)   |
| 04/12/2000 | 44        | MOTION (RENEWED) filed by federal defendant J. KEVIN O'BRIEN to dismiss complaint [1-1] , or, in the alternative, for summary judgment ; attachments (2) (cjp) (Entered: 04/13/2000)   |
| 04/17/2000 | 45        | ORDER by Judge Gladys Kessler: that plaintiff file a response to defendant's renewed motion to dismiss or, in the alternative for summary judgment by 5/14/00. (N) (pob) (Entered: 04/17/2000)   |
| 05/10/2000 | 46        | RESPONSE by plaintiff WILLIE JEFFERSON in opposition to motion to dismiss complaint [1-1] [44-1] by J. KEVIN O'BRIEN, motion for summary judgment [44-2] by J. KEVIN O'BRIEN . (dam) (Entered: 05/12/2000)   |
| 07/03/2000 | <u>47</u> | MEMORANDUM OPINION by Judge Gladys Kessler (N) (pob) (Entered: 07/03/2000)   |
| 07/03/2000 | <u>48</u> | JUDGMENT by Judge Gladys Kessler in favor of federal defendant J. KEVIN O'BRIEN against plaintiff WILLIE JEFFERSON; granting defendant's renewed motion to dismiss or, in the alternative for summary judgment.(N) (pob) (Entered: 07/03/2000)   |
| 03/17/2008 |           | Leave to File Denied. Plaintiff's Independent Action. (tg, ) "Leave to file denied" by Judge G. Kessler. (Entered: 03/17/2008)   |